IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

RP.No. 1152 of 2006(E)

AGAINST THE JUDGEMENT IN WPC.16849/2006

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PETITIONERS-PETITIONERS:

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1. K.J.THOMAS, SON OF CHACKO JOSEPH,
   56-GIRINAGAR, COCHIN-20.

2. DR. SUSAMMA JOHN, -DO-.

BY ADVS. SRI.T.R.HARIKUMAR
SRI.K.RAVEENDRAN

RESPONDENTS: RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE
   SOCIETIES (GENERAL), ERNAKULAM.

2. THE ERNAKULAM CO-OPERATIVE HOUSE
   CONSTRUCTION SOCIETY LTD.NO.E.169, GIRINAGAR,
   COCHIN-20, REPRESENTED BY ITS SECRETARY.

BY GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKKAN -R1
ADV. SRI.DENY JOSEPH-R2

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.THANKAPPAN, J.

R.P. NO. 1152 OF 2006
IN
W.P.(C)NO.16849 OF 2006

Dated this the 2nd day of August, 2007

O R D E R

This Review Petition is filed by the petitioners in the Writ Petition. As per the judgment dated 11.7.2006, this Court directed the second respondent to consider Ext.P2 representation filed by the petitioners as expeditiously as possible by conveying or registering the documents relating to the property in question within a reasonable time, at any rate within one month from the date of receipt of a copy of the judgment. The second respondent was also directed to consider Ext.P3 letter of the first respondent. Subsequent to the above direction, notice was served on the legal heirs of Sri. P.K. Paul, the original allottee of the plot in question by publishing the same in Rashtradeepika, Ernakulam edition.

2. This Court heard the learned counsel appearing for the review petitioners, learned counsel for the second respondent and the learned Government Pleader.

3. Admittedly, as per the judgment dated 25.10.2005 in A.S. No.698 of 1996, the petitioners and the legal heirs of the original allottee had agreed to compromise the matter and on the basis of the compromise suggested, the appeal was dismissed as withdrawn. Now, it is reported that the second respondent has received the entire amount relating to the plot in question. Hence, there is no legal bar for the second respondent to convey the property in question in the name of the petitioners.

4. In the above circumstances, the second respondent is directed to comply with the direction issued by this Court as early as possible, at any rate within 45 days from the date of receipt of a copy of this order. It is made clear that the second respondent is entitled to any amount due from the petitioners outstanding in the account of the original allottee.

The Review Petition is disposed of with the above clarification.

(K.THANKAPPAN, JUDGE)

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